

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JACKIE TAYLOR	:
Plaintiff,	:
	:
V.	: DOCKET NO.
	:
ROSS STORES INC., i/t/a, d/b/a	:
ROSS DRESS FOR LESS	:
ABC CORP. #1-10 (fictitious name)	:
Defendants.	:

**NOTICE OF REMOVAL OF DEFENDANT, ROSS STORES, INC., I/T/A, D/B/A
ROSS DRESS FOR LESS**

TO: United States District Court for the Eastern District of Pennsylvania

Defendant, Ross Stores, Inc., i/t/a, d/b/a Ross Dress for Less (“Ross”), by and through its attorneys, Kennedys CMK, LLP, hereby files this Notice of Removal pursuant to 28 U.S.C. § 1446(b), and in support thereof avers as follows:

1. On or about July 22, 2022, Plaintiff Jackie Taylor filed a Complaint in the Court of Common Pleas of Philadelphia County for an action captioned *Jackie Taylor v. Ross Stores Inc., i/t/a, d/b/a Ross Dress For Less*, July Term, 2022, No. 1912. A true and correct copy of Plaintiff’s Complaint is attached hereto as Exhibit A and, without admitting the truth of the allegations contained therein, Ross incorporates by reference Plaintiff’s Complaint as if fully stated herein.
2. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b).
3. This is a civil suit and involves controversy between citizens of different states.
4. Plaintiff, upon information and belief, was at the time of the commencement of the above action a citizen of the Commonwealth of Pennsylvania.
5. Ross Stores, Inc., is headquartered at 5120 Hacienda Drive, Dublin CA 94568, and

is a Delaware corporation.

6. Defendant avers that the amount in controversy is in excess of \$75,000.

7. The above described Civil Action is one in which this Honorable Court has original jurisdiction pursuant to Title 28 United States Code Section 1332 based upon the fact that there exists diversity of citizenship between the parties and the amount in controversy is in excess of \$75,000.00, exclusive of interests and costs, and is accordingly one which may be removed to this Honorable Court by Notice pursuant to Title 28, United States Code, Section. 1441.

8. Plaintiff claims that she slipped and fell due to clear liquid on the floor as a result of which she alleges to have sustained “serious personal injuries.” See Exhibit A, ¶10-11.

9. Plaintiff’s Complaint further alleges that she sustained “serious and permanent injuries” to her head, neck, back, arms, legs and body, in addition to “serious and permanent injuries to her bones, muscles tendons, ligaments, nerves and tissues”.

10. Specifically, Plaintiff alleges that she sustained **a complex tear of the lateral meniscus of the right knee for which she underwent surgery.**

11. Plaintiff also alleges segmental and somatic dysfunction of the cervical, thoracic and lumbar spines as well as sprains and strains of the cervical and lumbar spines. Plaintiff alleges “great pain and suffering” as a result of her alleged injuries.

12. Plaintiff also alleges that she has suffered a severe loss of her earnings and impairment of her earning power and capacity. See Exhibit A, ¶ 18.

13. Promptly after filing this Notice of Removal in this Honorable Court, a copy of this Notice of Removal will be filed with the Court of Common Pleas of Philadelphia County, Commonwealth of Pennsylvania, in accordance with 28 United States Code, Section 1446(d).

14. Copies of all process, pleadings and order served upon defendants as of the time of

this removal are attached hereto in accordance with 28 United States Code, Section 1446(a).

15. Defendant has contemporaneously with the filing of this Notice of Removal given written notice to Plaintiff's counsel.

WHEREFORE, based on the foregoing, Defendant, respectfully requests that this action, currently docketed in the Court of Common Pleas of Philadelphia County be removed to the United States District Court for the Eastern District of Pennsylvania.

Respectfully Submitted,

KENNEDYS CMK LLP

By: s/ Elizabeth A. Chalik
Elizabeth A. Chalik, Esquire
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Attorneys for Ross Stores Inc., i/t/a, d/b/a Ross Dress for Less Inc.

Dated: August 29, 2022

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JACKIE TAYLOR	:
Plaintiff,	:
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ROSS STORES INC., i/t/a, d/b/a	:
ROSS DRESS FOR LESS	:
ABC CORP. #1-10 (fictitious name)	:
Defendants.	:

CERTIFICATE OF SERVICE

I, Elizabeth A. Chalik, hereby certify that on August 29, 2022, a true and correct copy of the within Notice of Removal of Defendant, Ross Stores Inc., i/t/a, d/b/a Ross Dress for Less Inc., was served upon counsel for all parties to this action at the addresses below via electronic mail:

Geoffrey B. Gompers, Esquire
Law Offices of Geoffrey B. Gompers & Associates P.C.
1515 Market Street, Suite 1650
Philadelphia, PA 19130
Counsel for Plaintiff

Respectfully Submitted,

KENNEDYS CMK LLP

By: s/ Elizabeth A. Chalik
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